

FILED IN OPEN COURT" 8/6/07

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOHN G. PEDICINI,

Plaintiff,

-vs-

UNITED STATES OF AMERICA  
ET AL.,

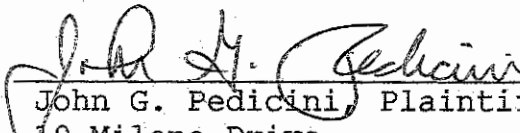
Defendants.

CIVIL ACTION NO. 04-12395-JLT

PLAINTIFF'S MOTION IN OPPOSITION TO DEFENDANT'S MOTION TO  
DISMISS COUNTS I AND III<sup>1</sup>

Plaintiff, John G. Pedicini, respectfully moves the Court to deny Defendants' Motion Dismiss Counts I and III<sup>2</sup>. In support of this motion, Plaintiff has filed a memorandum of law under separate cover.

Respectfully submitted,

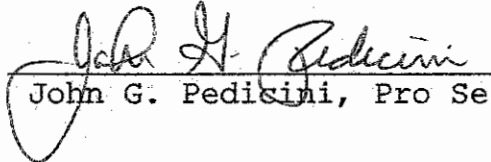
  
John G. Pedicini, Plaintiff Pro Se  
10 Milano Drive  
Saugus, MA 01906  
781-248-1385

8/6/07  
Date

<sup>1</sup> Defendants incorrectly identified Count IV, Breach of Settlement Agreement, as Count III.

**CERTIFICATION UNDER L.R. 7.1**

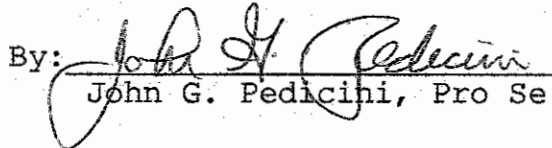
I certify that in accordance with Local Rule 7.1, I have conferred with Defendants' counsel and have attempted in good faith to resolve the issues addressed in this Motion on August 5, 2007 and that we were unable to resolve the issues set forth in this motion.

  
\_\_\_\_\_  
John G. Pedicini, Pro Se

8/6/07  
\_\_\_\_\_  
Date

**CERTIFICATION OF SERVICE**

Pursuant to L.R.5.2(b), I hereby certify that a true copy of the above document and memorandum were served on the Defendants on August 6, 2007, by hand to: Gina Walcott-Torres, Assistant U.S. Attorney, Moakley Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210.

By:   
\_\_\_\_\_  
John G. Pedicini, Pro Se

8/6/07  
\_\_\_\_\_  
Date

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<sup>2</sup> Id.